

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
BLACKHAWK DEVELOPMENT, LLC,

Plaintiff,

- against -

KRUSINSKI CONSTRUCTION COMPANY,

Defendant.

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KRUSINSKI CONSTRUCTION COMPANY,

Third-Party Plaintiff,

- against -

BOYCE EXCAVATING CO., INC., ADVANCE
TESTING COMPANY, INC., CBRE, INC., MCKESSON
CORPORATION, SOLICITO & SON CONTRACTING
CORP., and GREENWORLD LANDSCAPE & IRRIGATION, INC.

Third-Party Defendants.

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BOYCE EXCAVATING CO., INC.

Fourth-party Plaintiff,

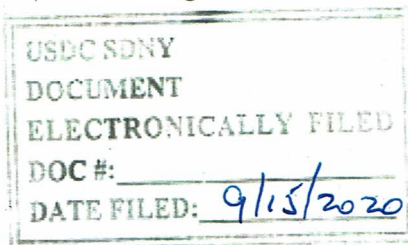
-against-

LOIODICE EXCAVATING, INC., and RECLAMATION LLC

Fourth-Party Defendant
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NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Declaration of Ting Huang dated September 9, 2020 and the exhibits annexed thereto; and the accompanying Memorandum of Law in Support, dated September 9, CBRE, Inc will move this Court on October 29, 2020 by the submission of all



No.: 7:19-cv-05590-NSR

Third-Party Defendant CBRE, Inc.'s motion to dismiss is denied without prejudice for filing prematurely subject to refile on the reply date (Oct. 29, 2020). (See ECF No. 142.) Clerk of Court requested to terminate the motion (ECF No. 151).

Dated: Sept. 15, 2020

SO ORDERED.


Nelson S. Román, U.S.D.J.

motion papers, in Courtroom 218 of the United States Courthouse located at 300 Quarropas Street, White Plains, New York 10601, for an Order pursuant to FRCP 12(b)(6) dismissing all Counts of the Third-Party Complaint as against CBRE and granting such other and further relief as this Court deems just.

Date: September 9, 2020
New York, New York

Sheeley LLP



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